



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 688

**Assembly
Amendment 1**

Memo published: January 23, 2004

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Assembly Bill 688 provides that the maximum term of imprisonment for the crime of distributing or delivering a controlled substance or possessing a controlled substance with intent to distribute or deliver may be increased by five years if the person commits the offense in a unit, in a common area, or on the grounds of a residential building while a child is present in or on the unit, common area, or grounds. Under the bill, “residential area” means any public building which is used for sleeping or lodging purposes and includes any apartment house, rooming house, hotel, children’s home, community-based residential facility, or dormitory.

Assembly Amendment 1 also applies the penalty enhancer to an offense committed in any other dwelling while a child is present.

The Assembly Committee on Criminal Justice recommended adoption of the amendment on a vote of Ayes, 12; Noes, 2, on January 21, 2004. On that date, the committee also recommended passage of the bill, as amended, on a vote of Ayes, 11; Noes, 3.

AS:tlu